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USE ONLY☐ CONFIDENTIAL☐ SECRET

ROUTING AND RECORD SHEET

584

SUBJECT: (Optional)

OGC SUBJ: INVESTIGATIONS - Letelier, Orlando (case
filed)

FROM:

General Counsel

EXTENSION

NO.

DATE

18 March 1977

TO: (Officer designation, room number, and
building)

DATE

OFFICER'S
INITIALSCOMMENTS (Number each comment to show from whom
to whom. Draw a line across column after each comment.)

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Bill: The attached memo from Gene Propper, the Assistant U. S. Attorney in charge of the Letelier investigation, in effect withdraws the earlier questions posed in Propper's memo of 20 Dec 76, to the extent those questions were not addressed in my memo to Propper of 8 Feb 77, and substitutes two much narrower questions.

Do we have anything that would be responsive to the two new questions, and if so are there any objections to my passing it to Propper? For your information, George Lauder has been working this account on your behalf.

Anthony A. Lapham

Declassified and
Approved for Release
July 2000

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Chief, Latin America Division

EXTENSION

NO.

DATE

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

OSA/D

2.

3.

General Counsel

3-29-77

4.

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1-3: Redone per
our 25 Mar 77 conver-
sation. New info
in 8 f.

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28 MAR 1977

MEMORANDUM FOR: General Counsel
FROM : [REDACTED]
Chief, Latin America Division
VIA : [REDACTED]
O/SA/D
SUBJECT : Letelier Assassination

Attached is a memorandum in response to the questions raised by Assistant United States Attorney Eugene M. Propper in his letter dated 17 March 1977 concerning the Letelier assassination.

[REDACTED]

Attachment:
As stated

[REDACTED]

[REDACTED]

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MEMORANDUM

SUBJECT : Letelier Assassination

REFERENCE: Memorandum from Eugene M. Propper, Assistant
United States Attorney, dated 17 March 1977

1. Virtually all the information we have on the genesis of the "CORU" and on those who attended its meeting in the Dominican Republic in June 1976 has come from the FBI. We refer you to the following FBI reports which contain information relevant to the Propper inquiry:

a. FBI message dated 23 June 1976 and titled "Frente De Liberacion Nacional De Cuba (National Liberation Front of Cuba). (FLNC), Internal Security - Cuba" (Secret)

b. FBI message dated 16 July 1976 and titled "Frente De Liberacion Nacional De Cuba (National Liberation Front of Cuba). (FLNC), IS-Cuba" (Secret)

2. We acquired some additional information [REDACTED] in December 1976 which was made available to the FBI in our [REDACTED] transmitted by wire on 23 December 1976. [REDACTED]

3. A name trace on Guillermo Novo did not indicate that he attended the military meeting in the Dominican Republic.

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4. This Agency recently received [REDACTED] information concerning the possible involvement of a Cuban exile group in the Letelier assassination. We refer you to this Agency's report [REDACTED]

[REDACTED] which was passed to the FBI.

5. [REDACTED] We have, however, the following information related to Mr. Propper's query, all of which has been previously reported to the FBI, except for the negative trace information contained in sub-paragraph (a) below on Admiral McIntyre.

a. We have no information that Chilean Admiral McIntyre has ever been affiliated with DINA.

b. [REDACTED]

c. Rafael Otero, Chilean Press Attache in Washington, and Hector Duran, Press Attache at the Chilean Consulate in Miami, have been accused by various sources of being DINA agents. We cannot confirm these allegations.

d. [REDACTED]

As of August 1976, General Canales was the Chilean Deputy Permanent Representative to the United Nations with the rank of Ambassador.

e. On 30 September 1976, Chilean President Augusto Pinochet told a retired group of army officers that he was going to send an army officer and an air force colonel to Washington to assist in resolving the Letelier assassination. He did not identify the officers, but on 1 October 1976, DINA began arranging for the travel to the U.S. of two DINA officials, retired Air Force Colonel Julio Tapia and Sergeant Pedro Castro, allegedly to augment the security for the Chilean United Nations Ambassador. We have no further information regarding this matter.

1 Attachment:
[REDACTED]

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Page(s)

6-24

Denied in Full

UNITED STATES GOVERNMENT

Memorandum

TO : [REDACTED]
General Counsel
Central Intelligence Agency

FROM : Eugene M. Propper ^{EMP}
Assistant United States Attorney
426-7621

SUBJECT: Request for Information Re Letelier

DATE: December 20, 1976

~~CONFIDENTIAL~~

As you are aware, the Department of Justice and the Federal Bureau of Investigation are investigating the assassination of the former Chilean Ambassador to the United States, Orlando Letelier. Attached are a number of questions which ask the CIA for information we consider to be vital if we are to succeed. The Attorney General is aware of the nature of the questions and has approved our asking them of the CIA. It would be appreciated if this request can be expedited.

Attachment



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

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1. Please list all explosives, time delay fuses, including remote control devices, and any other detonation mechanisms, in which anti-Castro Cuban exiles were trained by the CIA and/or any other individuals, agencies, political groups or governments at the CIA's direction or request.
2. Please list all explosives, time delay fuses, including remote control devices, and any other detonation mechanisms, which are in use at the current time by the CIA, the anti-Castro Cuban exiles, and the Chilean and Venezuelan Governments, their military services and/or their secret police, including but not limited to DINA and DISIP.
3. Please list the names, basic identifying data, and present whereabouts, if known, of all Cubans, Chileans and Venezuelans, or any groups, including political, military or police groups, with persons of such nationality as members, who the CIA or any other affiliated or nonaffiliated agency has provided explosives to or has trained in the use of explosives and detonation mechanisms from 1959 to the present.
4. Please name each Cuban, Chilean and Venezuelan believed or known by the CIA to have participated in or planned assassinations or assassination attempts. Include those Cubans, Chileans and Venezuelans trained by the CIA or by some other person or agency at the CIA's request.
5. Please name all persons [REDACTED] who have reported information in the past on prior assassinations or assassination attempts by DINA, or arranged by DINA and carried out by others.
6. Please provide all information available on the foreign travel, between 1959 and the present, of Orlando Bosch Avila, Guillermo Novo Sampol, Ignacio Novo Sampol, Jose Dionision Suarez Esquivel, and Luis Posada Cariles. Include any information on their relationship, if any, with the CIA.

20 October 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM: Anthony A. Lapham
General Counsel

SUBJECT: - Letelier Matter

REFERENCE: Your Note to Me Dated 14 Oct 76, Forwarding Two
Letters from Attorney General, Same Subj., Dated
9 Oct 76

1. Attached are the two letters from the Attorney General to you that you forwarded to me with your note of 14 October. The two letters deal with the matters regarding Orlando Letelier that we discussed at our lunch with Stanley Pottinger and Gene Propper on 4 October. The letters are the product of a drafting session I had with Justice officials on 8 October.

2. After receiving your note, I spoke with William Hyland of the National Security Council Staff on 18 October. He informed me that Brent Scowcroft has endorsed the Attorney General's recommendation. I asked him to confirm this in writing. With this assurance I recommend that you send the Attorney General's letters to the DDO for appropriate implementation. I will coordinate on the outgoing cable to the field, which I have already reviewed in draft.

3. A copy of my memorandum for the record regarding our contacts with Justice officials in this matter is also attached.

Anthony A. Lapham

Attachments

OGC: AAL: [redacted]

Original - Addressee (w/copy for DDO)

1 - OGC Subj: INVESTIGATIONS - Letelier, Orlando (case filed)

1 - AAL signer

1 - Chrono

UNCLASSIFIED CONFIDENTIAL SECRET

EXECUTIVE SECRETARIAT

Routing Slip

DCS

TO	ACTION	INFO	DATE	INITIAL
1 D/DCI		✓	10/11	
2 DDCI		✓	10/11	
3 D/DCI/JC				
4 DDS&T				
5 DDI				
6 DDA				
7 DDO		✓		
8 D/DCI/NI				
9 GC	✓			
10 LC				
11 GC		✓		
12 Compt				
13 D/Pers				
14 D/S				
15 DTR				
16 Asst/DCI				
17 AO/DCI				
18 C/IPS				
19 DCI/SS				
20				
21				
22				
SUSPENSE		Date	10/14	

Remarks:
 (2) Letters to Michael/DCI
 This section

Executive Secretary



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GB/bz

Office of the Attorney General
Washington, D. C. 20530

October 9, 1976

Honorable George Bush
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Bush:

As you are aware, the Department of Justice is conducting an investigation to determine who may have been involved in the death of Orlando Letelier, the former Chilean ambassador to the United States who was assassinated on September 21, 1976, in Washington, D. C. On the basis of information developed in that investigation, we have reason to believe that the responsible parties may be outside the United States, and that the assassination may be part of a program of violent activities directed by foreign powers, foreign organizations, or their agents at persons within the United States or elsewhere.

I have been advised that information leading to a determination of whether any foreign powers or their agents have been or may be involved in such a program of violent activities would be significant foreign intelligence and/or counterintelligence as defined by Section 2(a) of Executive Order 11905. I understand that the Central Intelligence Agency may be in a position to obtain information bearing on these violent activities. I have recommended that the National Security Council consider levying requirements upon the CIA to develop abroad such foreign intelligence or counterintelligence information. If the National Security Council endorses my recommendation, I am satisfied that such a request would be in accordance with applicable laws and regulations relating to CIA activities including Section 4(b) of Executive Order 11905.

A criminal investigation into the Letelier assassination is presently being conducted by the Department of Justice in conjunction with the Office of the United States Attorney for the District of Columbia. Since, as noted above, CIA's compliance with a National Security Council request would be in

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accordance with the applicable laws and regulations, information developed as a part of the Agency's foreign intelligence and counterintelligence activities which would be subject to dissemination pursuant to Section 5(c) of Executive Order 11905 and the applicable guidelines I have promulgated pursuant thereto may be disseminated in accordance with such procedures.

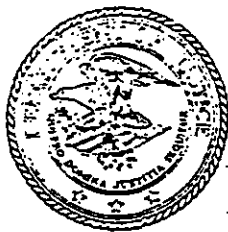
Sincerely,

Edward H. Levi
Edward H. Levi
Attorney General

~~SECRET~~

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GB/he



Office of the Attorney General
Washington, D. C. 20530

October 9, 1976

Honorable George Bush
Director
Central Intelligence Agency
Washington, D. C.

Dear Mr. Bush:

As you are aware, I have recommended to the National Security Council that the CIA be tasked with the development of foreign intelligence and counter-intelligence related to the question of what foreign powers, foreign organizations, or foreign agents may be involved in a program of violent activities directed at persons within the United States or elsewhere based, in part, on the development of information which has given us reason to believe the bombing death of Orlando Letelier may be a part of such activities.

I understand concern has been expressed that the development of such intelligence and its dissemination to the Department for use in the criminal investigation could lead to disclosure of your sources or methods.

This is to confirm discussions by your General Counsel with officials of the Department in which it was agreed that the Department will not disclose any information you may provide which could identify your sources or methods unless you and I mutually agree to such disclosure or, in the absence of such mutual agreement, such disclosure is directed by the President.

Sincerely,

Edward H. Levi
Edward H. Levi
Attorney General

~~SECRET~~

12 October 1976

MEMORANDUM FOR THE RECORD

SUBJECT: Contacts with Justice Department Officials Concerning
Letelier Murder

1. On 4 October Stanley Pottinger, Assistant Attorney General, Civil Rights Division, came to Headquarters at his own request to have lunch with the Director. Pottinger brought with him Gene Propper, an Assistant U. S. Attorney for the District of Columbia, and I sat in with the Director.

2. Pottinger wanted to talk about the Letelier killing on 21 September. He said that the investigation was being conducted jointly by the Metropolitan Police and the FBI. Federal jurisdiction was based on 18 U.S.C. §1116, which makes the murder of an ex-Ambassador to the United States a federal criminal offense. Pottinger said the investigation had turned up few concrete leads at this point, but that the killing had been professionally executed, appeared to have been politically motivated, and may well have been planned by DINA or may have been a CONDOR operation. He said that in these circumstances CIA was in a unique position to be helpful, and he requested that we task existing intelligence assets abroad to develop information that might be relevant. Propper summarized what had already been learned as a result of a CIA briefing for the FBI on 23 September and as a result of subsequent state Department and CIA reporting.

3. The Director expressed a desire to be helpful within the proper limits of CIA authority. In this connection I said that we could probably proceed under Section 4(b)(c) of Executive Order 11905, relating to the conduct of counterintelligence activities abroad, and that there might be foreign intelligence aspects as well, but that we had reason to be very cautious in view of the restrictions on CIA activities relating to law enforcement. I also indicated concerns about demands that might be made for forced disclosure of CIA sources and methods, in the event that information was developed and in the further event that the Justice investigation resulted in a prosecution. On the other hand, both the Director and I thought that CIA might have difficulty explaining a refusal to take any action in response to the Justice request, if indeed there was an arguable case that significant foreign intelligence or counterintelligence might be developed in complying with the request.

4. It was agreed that I prepare a first draft of a letter from the Attorney General to the Director, in which the request to CIA would be formally stated, together with the Attorney General's conclusion that the request was legally appropriate and some form of commitment to satisfy CIA concerns about possible forced disclosure of its intelligence sources and methods.

5. [REDACTED] and I drafted such a letter (Attachment A) and took it on 8 October to the Department of Justice, where we met with Pottinger; Proper; Earl Silbert, U. S. Attorney for the District of Columbia; Bob Keuch, Deputy Assistant Attorney General for the Criminal Division, and Mary Lawton of the Office of Legal Counsel. After an exchange of views, agreement was reached on a somewhat different approach, involving two letters from the Attorney General to the Director (one recommending a CIA collection effort aimed at developing information about the Letelier killing and the wider campaign of violent activities of which it might be a part and the other dealing with the protection of sources and methods) and a memorandum from the Attorney General to the National Security Council urging its endorsement of the recommendation relating to collection. These papers were drafted for the Attorney General's consideration (see Attachment B).

6. On 9 October the Attorney General signed the two letters to the Director, in slightly modified form, and the originals were hand-delivered to me that afternoon by Bob Keuch (see Attachment C). The memorandum to the NSC was to be separately delivered.

[REDACTED]
Anthony A. Lapham
General Counsel

Attachments

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United States Department of Justice

DEPUTY ASSISTANT ATTORNEY GENERAL

CRIMINAL DIVISION
WASHINGTON 20530

January 11, 1980

[REDACTED]
Assistant General Counsel
Central Intelligence Agency
Washington, D. C. 20505


Dear [REDACTED]

The two letters enclosed were written by me and signed at my request by then Attorney General Levi. They were originally unclassified.

However, having recently had the occasion to review these letters it is my view that the letters should have been classified at the Secret level and I have done so.

The enclosed properly classified copies of these letters should be substituted for all copies in the Central Intelligence Agency and any unclassified copies in your files should be similarly marked or destroyed.

Very truly yours,


Robert L. Keuch
Deputy Assistant
Attorney General

Enclosures

This document becomes unclassified
upon removal of classified attachments.

~~SECRET~~

